



Acts and Laws,

Passed by the Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay in New-England*: Begun and Held at *Boston* upon Wednesday the twenty-eighth Day of *May*, 1755. And continued by sundry Prorogations and Adjournments to Tuesday the thirtieth Day of *March* following, and then met.

C H A P. XXXIV.

An Act for preventing Petitions to the General Court relating to Licences for Retailing strong Drink, and keeping Houses of publick Entertainment.

WHEREAS Petitions have often been preferred to the Great and General Court, for enabling the Courts of General Sessions of the Peace to grant Licences to Inn-holders and Retailers of strong Drink, whereby the publick Affairs of the Province have been much interrupted, and the several Sessions of this Court protracted:

Therefore for preventing such Inconvenience for the future:

Be it enacted by the Governor, Council and House of Representatives, That upon Application made to the Court of General Sessions of the Peace in any County within this Province, at any of the Terms by Law appointed for holding the same in such County, for Licence to keep an Inn, Tavern or other House of publick Entertainment, or to Retail strong Liquors, the Justices of such Court are hereby authorized at such Term to grant such Licence, in Case they shall judge it necessary or of publick Convenience, and the Person applying therefor be suitably qualified for such Employment, and recommended in Manner as the Law directs; and the House in which he is to exercise such Licence, be commodiously situated for the Entertainment of Travellers and other publick Uses.

Provided, That no such Licence be firstly or originally granted at any Time after the Term by Law appointed for granting of Licences in such County, nor to any Person who shall have applied for a Licence at such Term, and shall have been denied the same, (unless it shall evidently appear that the Cause of such Denial be then removed); nor shall any Licence be granted on any other Day of the Sitting of such Court, but that whereon the Justices of such County have been wont to give their more general Attendance.

Preamble.

Court of Sessions to grant Licences if they think fit.

Time for granting Licences.

Levying Soldiers.

And whereas the granting of Licences at any Term of such Court's Sitting, frequently and indiscriminately, and the countenancing any unseasonable Applications for them, may be attended with no small Inconvenience :

Persons not applying for Licences at the Time appointed, to be excluded, unless.

Limitation.

Be it therefore further enacted, That no Person applying for such Licence at any other Term of such Court's Sitting, than that by Law assigned for granting Licences, shall be admitted thereto, who shall not pay and deliver into the Hands of the Clerk of such Court (besides the appointed Fee) the Sum of twelve Shillings, to be by such Clerk delivered to the Treasurer of such County for the County's Use ; unless it shall appear to the Satisfaction of the Justices, that the Nature of the Case or Circumstances attending it, would not admit of an earlier Application, or that the Petitioner by some providential and unavoidable Lett or Hindrance was prevented doing it ; in which Case no more shall be demanded than the appointed Fee.

This Act to commence on and from the twentieth Day of April Instant, and to continue in Force until the first Day of April, which will be in the Year of our Lord One Thousand seven Hundred and fifty-nine, and no longer.

[The foregoing Act was Published April 8. 1756.]

C H A P. XXXV.

An Act for the more speedy levying of Soldiers for the Expedition against Crown-Point.

Preamble.

WHEREAS this Government in Conjunction with the other Governments in New-England and New-York, have judged it necessary that there be a new Expedition formed against Crown-Point, and this Government have determined to raise for said Expedition Three Thousand five Hundred Men including Officers, to form an Army with what shall be raised by the other Governments, under the Command of Major-General Winslow :

Wherefore for the more speedy and effectual raising and levying of Soldiers for the Service aforesaid :

Be it enacted by the Governour, Council and House of Representatives, That there be and hereby is ordered to be a general Muster of all the Companies both of Horse and Foot in all the Regiments within this Province, on the twenty-second Day of April Instant, and if the Number of Three Thousand five Hundred Men including Officers, shall not be enlisted before that Time, it shall and may be lawful to compleat the same by an Impres, and upon due Warning given (pursuant to the Order of the Captain or Commanding Officer of the several Troops or Companies) by one of the Serjeants or Corporals of the several Troops and Companies, to each Person belonging to the same, either in Person, or in Case of his Absence from Home, by leaving a Notification in Writing at the usual Place of his Abode, for mustering the laid Companies of Horse and Foot for the Purposes before mentioned, every Person (who by Law is obliged to attend military Musters) whether belonging to any Troop or Foot Company shall punctually attend and continue at such Muster at the Time and Place that shall be appointed therefor, on Pain of incurring the Penalty of twenty Pounds, unless it shall appear on Trial of the Offence, that his Attendance was necessarily and unavoidably prevented ; to be recovered by Action of Debt, with full Costs of Suit, to be brought by the Clerk of the respective Troops or Companies to which such Person not appearing as aforesaid belongs, who is hereby impowered to commence and prosecute such Action ; and if such delinquent Person be a Son under Age, or a Servant, the said Action to be brought against and Penalty recovered of his Parent or Master, one third Part of said Penalty to

Fine in Case of Non-appearance.

be

Militia.

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be for the Use of the Clerk who shall sue for the same, and the remaining two Thirds for the Use of the Town where the Defendant lives.

And every Person who shall be impressed by the Commanding Officers of each Company or Troop, or such Person as he shall appoint for the Service aforesaid, shall duly attend the same, either by himself or by some other effective able-bodied Person in his Stead, on Penalty of the Sum of *Ten Pounds*, unless he shall have had a Discharge from such Impress in Writing under the Hand of the Captain or Chief Officer of such Company or Troop or Regiment, or of the Commander in Chief of this Province; to be recovered by Warrant from the Captain or Chief Officer of such Company directed to the Clerk of such Company or Troop, to levy by Distress and Sale of the Goods and Chattles of such Offender, or of the Goods and Chattles of his Parent or Master, in Case such impressed Person be a Son under Age or a Servant; and the said Clerk is hereby fully impowered and required to levy and collect the said Sum in such Manner as Constables of Towns and Districts within this Province are impowered to levy Town Taxes, and for want of Goods and Chattles whereon to make Distress, to commit such Offender to the common Goal of the County, there to remain till such Time as the same Fine and Charges are paid; which said Fine of *Ten Pounds* when received shall be disposed of as Fines are for Persons impressed not attending the Service, by Virtue of an Act of this Province made and passed in the twenty-seventh Year of his present Majesty's Reign, Intituled *An Act for levying of Soldiers, and to prevent Soldiers and Seamen in his Majesty's Service from being arrested for Debt.*

[The foregoing Act was Published April 15. 1756.]

C H A P. XXXVI.

An Act in Addition to an Act Intituled, *An Act for Regulating of the Militia.*

WHEREAS by an Act of this Province made in the fifth Year of the Reign of their late Majesties William and Mary, Intituled An Act for Regulating of the Militia, several Persons are excused from all Trainings, Military-Watches and Wardings; and the Government being oftentimes necessitated to borrow Money for the publick Service, and it may expedite the raising of Money for that Service, if the Lenders were excused from the aforesaid Duties:

Wherefore,

Be it enacted by the Governour, Council and House of Representa- Persons lend- ing the Go- tives, That every Person who shall at any one Time lend the Sum of *One Thousand Pounds* or upwards, to the Province Treasurer for the Use of this Government, shall be and hereby is exempted from all Trainings, Military- £.1000 to be Watches and Wardings, and from all Impresses during the Continuance of excused from Military Duties.

And to the End it may be ascertained who the Lender is, and that he may have Evidence of his having lent the Sum aforesaid for the Use of this Government:

Be it enacted, That the Person whose Name shall be expressed in the Receipt or Obligation given by the Treasurer for the Sum lent (and not any other Person to whom such Receipt or Obligation may be made over or endorsed,) shall be deemed the Lender; and upon Application made to him, the Treasurer shall give a Certificate to such Lender, of his having lent the Sum aforesaid for the Use of this Government: Which Certificate shall be a sufficient Evidence of such Lender's being intituled to the Exemption aforesaid.

This Act to continue and be in Force for the Space of five Years from the sixteenth Day of April One Thousand seven Hundred and fifty-six.

[The foregoing Act was Published April 16. 1756.]

Method to ascertain who the Lender is.

Limitation:

An Act in Addition to an Act Intituled *An Act for supplying the Treasury with the Sum of Sixty Thousand Pounds.*

Preamble.

WHEREAS by an Act made this present Year of his Majesty's Reign, Intituled An Act for supplying the Treasury with the Sum of Sixty Thousand Pounds, the Province Treasurer is impowered to borrow Forty Thousand Pounds, of his Excellency the Governour; and a further Sum not exceeding Twenty Thousand Pounds, of such Person or Persons as shall be willing to lend the same: And for every Sum borrowed of such Person or Persons to make up the aforesaid Sum of Twenty Thousand Pounds, the said Treasurer is directed to give a Receipt and Obligation payable the second Day of June 1757. And in order to draw the said Twenty Thousand Pounds into the Treasury, so as to enable the Treasurer effectually to discharge the Receipts and Obligations given therefor, with the Interest that may be due thereon; it is in said Act enacted, That a Tax of Twenty two Thousand Pounds, be levied on Polls and Estates both Real and Personal within this Province in Manner following, that is to say, Eleven Thousand Pounds, Part thereof according to such Rules and in Proportions on the several Towns and Districts within this Province, as shall be agreed on and ordered by the General Court or Assembly at their Session in May 1756, and to be paid into the publick Treasury on or before the 31st of March next after: And the further Sum of Eleven Thousand Pounds, according to such Rules and in such Proportions on the several Towns and Districts aforesaid as shall be agreed on and ordered by the General Court at their Session in May 1757, and to be paid into the publick Treasury on or before the 31st of March then next after; whereby the Receipts and Obligations directed by said Act to be given by the Treasurer for one half of the said Sum of Twenty Thousand Pounds to be borrowed as aforesaid, will become payable before the last mentioned Tax (which is one of the Funds for the Redemption of said Receipts and Obligations) will be payable into the Treasury: Wherefore in order that the Receipts and Obligations aforesaid, may be made payable in a suitable Time after the said last mentioned Tax shall be payable into the Treasury; and that no Inconvenience may arise in Consequence of the Act aforesaid:

Be it enacted by the Governour, Council and House of Representatives, That for one half of the said Twenty Thousand Pounds which he is impowered to borrow by the Act aforesaid, the Treasurer shall give his Receipts and Obligations in the Form following, viz.

Form of Treasurer's Receipt.

Province of the Massachusetts-Bay,
The Day of ¹⁷⁵
Received of the Sum of for the Use and Service
of the Province of the Massachusetts-Bay; and in Behalf of said Province, I do hereby promise and oblige my Self and Successors in the Office of Treasurer, to repay the said or Order, on the second Day of June 1758, the aforesaid Sum of in Coined Silver at Six Shillings and eight Pence per Ounce, or Spanish Mill'd Dollars at Six Shillings each, with Interest annually at the Rate of Six per Cent. per Annum. Witness my Hand, *H. G.* Treasurer.

Any Thing in the Act aforesaid to the contrary notwithstanding.

CHAP.

C H A P. XXXVII.

An Act in Addition to the several Acts and Laws of this Province now in Force respecting Poor and Idle, Dif-
orderly and Vagrant Persons.

WHEREAS some Idle, Dissolute and Vagrant Persons having some Estate and accordingly rateable, take no Care of their Families, nor improve their Estates to the best Advantage, which Persons are not under the Care and Inspection of the Overseers of the Poor, or the Select-Men of the Town where such Idle Persons dwell :

Be it therefore enacted by the Gouvernour, Countil and House of Representatives, That where any Idle, Dissolute or Vagrant Persons having a rateable Estate, do neglect to take due Care of themselves and their Families, or to improve their Estates, that in all such Cases the Overseers of the Poor or the Select-Men of the Town, shall be and hereby they are impowered to take the like Care and Inspection of such Person or Persons who neglect the due Care and Improvement of their Estates, and who mispend their Time and Money, and who live idle, vagrant and dissolute Lives, as if they were poor, indigent and impotent Persons, and accordingly with the assent of two Justices of the Peace of the same County, *Quorum Unus*, put out into orderly Families their Children, if any they have, and improve their Estates to the best Advantage, and apply the Produce and Income thereof towards the Support of them and their Families.

Provided, That any of the said idle Persons thinking themselves aggrieved, may make their Application to and have Remedy from the Justices in the General Sessions of the Peace in the same County (if they see Cause) who are hereby impowered to relieve such aggrieved Person from the Determination of the Select-Men.

And whereas it is apprehended that many adult Persons both Male and Female, who by Virtue of the Laws of this Government, are liable and lawfully may be sent and committed to the House of Correction for the County, or Work-House for the Town in which such Persons may respectively reside or be found, may be employed and kept to Work with less Inconvenience to the Town or District from whence by Law they may be sent, and with more Advantage to them who by Law are to take the Effects, and receive the Benefit of their Labours, by their being employed and kept to Work by a Master who should have Power to direct, govern and employ them, in and about such Labour and Busines as they can best perform :

Be it enacted, That for the future it shall and may be lawful for the Overseers of the Poor of every Town and District within this Province, where any are specially chosen to that Office, and for the Select-Men of every Town and District where there are no Persons specially chosen to the Office of Overseers of the Poor, if they see meet, and such Overseers and Select-Men respectively are hereby authorized and impowered by Indenture or by any other Form of Covenant, Agreement or Contract valid and effectual in Law, to put, place and bind out to Service to such Person or Persons as they shall judge suitable, for a Term not exceeding one Year at the longest under one and the same Contract, any adult Person whether Male or Female (residing and found in their respective Towns or Districts) whom they shall judge liable by Virtue of any Law or Laws of this Government, to be sent and committed to the House of Correction, or Work-House from any County, Town or District in this Province; and the Acts and Doings of such Overseers and Select Men respectively, whereby any such Person shall and

may be put and bound out to Service pursuant to this Act, shall be as valid and effectual in Law to bind and hold the Person so put to Service, as if any such Person by his her own Act and Consent, being of the Age of twenty-one Years had bound and put out him or herself a Servant for the like Term by Indenture, or by any other legal Form or Manner of Covenant or Contract.

Proviso for applying to the Court of General Sessions of the Peace.

Upon their Order, Contracts may be dissolved.

Use of the Earnings of the Persons bound out.

Provided always, That it shall be in the Power of the Court of General Sessions of the Peace for the County wherein any such Person shall be put out to Service as aforesaid, by Virtue of this Act; upon Application made to said Court by any such Person so put out to Service, or any on his or her Behalf, if they judge proper, to discharge and make void any Act or Doing of said Overseers or Select-Men, whereby any Person shall be put to Service as aforesaid, and by their Order wholly to annul the same, and set such Person so bound out at Liberty, and free from his or her Master, and also to allow Costs to the Person who shall be set at Liberty by said Court against the Town or District by whose Overseers or Select-Men such Person so set at Liberty shall have been bound out, and to award Execution accordingly.

And in all Cases wherein the said Court of General Sessions of the Peace, shall by their Order discharge and set at Liberty any Person or Persons bound to Service by any Overseers or Select-Men as aforesaid, all Indentures, Covenants, Contracts and Agreements, whereby and under which such Person shall have been bound or put out as aforesaid, shall from and after the Time of such Orders passing in Sessions, be taken, held and adjudged absolutely void and of no Effect so far as such Indentures, Covenants, Contracts or Agreements, shall respect any Time to come after the Time of such Orders passing.

And be it further enacted, That the Proceeds of the Labour and Service of every Person who by Virtue of this Act shall be bound out to Service (over and above the necessary Costs in and about the same) shall be taken by the Overseers or Select-Men respectively, who shall bind out such Person, to be improved and laid out for the Support of the Family or other poor and indigent Kindred (of the Person bound out) with the Maintenance of whom the Person bound out shall by Law be chargeable, if any such Family or Kindred such Person shall have: But if the Person bound out shall have no Family or Kindred with whose Support he or she shall by Law be chargeable, the Proceeds of the Labour of every such Person not having such Family or Kindred as aforesaid, shall be retained and kept by said Overseers or Select-Men respectively, to be paid by them to such Person bound out as aforesaid, or improved and laid out for his or her Use, Support and Benefit, by said Overseers or Select-Men, in such Manner as to them shall appear most for the Benefit and Advantage of the Person bound out as aforesaid; the said Overseers or Select-Men respectively to determine always whether to pay said Proceeds in Money directly to said Person bound out as aforesaid, or themselves to dispose and lay out the same in some other Manner to such Person's Use; and said Overseers and Select-Men are hereby required and obliged annually at the Town or District Meeting in March for the Choice of Town Officers, to exhibit to their respective Towns or Districts a full and true Account of their Disposition of the Earnings and Proceeds of the Labour of all Persons which shall have been bound out by them, not having such Family or Kindred as aforesaid, during the whole last preceding Year, for such Town's or District's Examination and Allowance.

And for the Proceeds of the Labour and Service of such Person having a Family or Kindred with whom he or she shall be chargeable as aforesaid, such Overseers or Select-Men shall be accountable to the Town or District to which

which such Family or Kindred such Person shall be chargeable with, shall belong and are Inhabitants ; and said Overseers and Select-Men respectively, shall pay all the Earnings and Proceeds of the Labour of the Person bound out as aforesaid, who shall have such Family and Kindred as aforesaid, to the Town or District (to which such Family or Kindred shall belong) or their Order, always excepting a reasonable Allowance out of said Proceeds to said Overseers or Select-Men, for their Care, Trouble and Cost in binding out such Person, and taking and recovering the Proceeds aforesaid ; which Allowance said Overseers and Select-Men are hereby impowered to retain in their Hands, and in their Account said Overseers and Select-Men shall be allowed all such reasonable Charge and Cost incurred, and also a reasonable Reward for their own Care and Trouble in and about the binding out of any such Person, and taking and recovering the Proceeds of his or her Labour of the Master to whom he or she shall be respectively bound and put out.

This Act to be in Force for the Space of three Years from the thirtieth of April Current, and no longer.

C H A P. XXXIX.

An Act for Enquiring into the Rateable Estates of the Province.

WHEREAS the Rateable Estates of the several Towns and Districts in this Province, may be very much altered since the last Valuation taken by this Court :

Be it enacted by the Gdvernor, Council and House of Representatives, That the Assessors of each Town and District within this Province who shall have been chosen for the Year One Thousand seven Hundred and fifty-six, shall on Oath take and lodge in the Secretary's Office by the last Wednesday in September One Thousand seven Hundred and fifty-six, a true and perfect List, according to their best Skill and Understanding, and conformable to a List settled and agreed on by the General Court, and to be recorded in the Secretary's Office ; a printed Copy of which shall be by the Treasurer of the Province sent to the Clerk of each Town and District, therein setting forth an Account of all Male Polls of sixteen Years old and upwards, whether at home or abroad, distinguishing such as are exempt from Rates through Age or otherwise, and of all Rateable Estates both Real and Personal within their respective Towns and Districts, and all Farms or Parcels of Land lying adjacent to, and rated in such Town or District, and by whom occupied, and what each Person's Real Estate within the Town or District, or adjoining as aforesaid, may rent for by the Year, and of all Indian, Negro and Molatto Servants, whether for Life or for a Term of Years, and what Number of Vessels, and of what Burthen, have sailed from their respective Ports to any other Port in the Year One Thousand seven Hundred and fifty-five ; and the said Assessors in taking such Valuation shall distinguish the different Improvements of the Real Estates into the following Parts, viz. Houses, Pasture and Tillage Land, Salt, Fresh and English Mowing Land, with the Number of Acres of Orchard ; and what Stock the Pasture ordinarily is capable of feeding, and what Quantity of Produce the said Tillage, Mowing and Orchard Land yearly affords one Year with another, excepting the Gdvernor, Lieutenant-Gdvernor, President, Fellows and Tutors of Harvard College, settled Ministers and Grammar-School Masters, with their Families, who for their Polls and Estates in their own actual Improvement, shall be exempted out of this Act ; and the said Assessors before they enter on this Work, shall take the following Oath, viz.

A new Valuation to be taken of the Rateable Estates of the Province.

Directions for taking the same.

Desertion of Soldiers.

Form of the
Assessors Oath

Y

OU A. and B. being chosen Assessors for the Town of B, for the Year One Thousand seven Hundred and fifty-six, do severally Swear, that you will faithfully and impartially according to your best Skill and Judgment, do and perform the whole Duty of an Assessor, as directed and enjoined by an Act of this Province made the present Year, Intitled An Act for Enquiring into the Rateable Estates of the Province, without Favour or Prejudice.

So help you GOD.

Which Oath (in such Town or District where no Justice dwells) may be administred by the Town or District Clerk ; and every Assessor who shall have been chosen by any Town or District in the Year One Thousand seven Hundred and fifty-six, (accepting such Choice) that shall refuse to take the said Oath, or taking the same shall neglect or refuse to do the Duty required by this Act, or shall any ways prevaricate therein, shall for each of these Offences forfeit and pay a Fine of five Pounds ; and every Person refusing or neglecting to give such Assessor or Assessors a true Account of his rateable Estate, Improvements or Rents agreeable to the true Intent of this Act when thereunto required by the Assessors, shall for each Offence forfeit and pay the Sum of twenty Pounds, and in Case any Account given by any Person in Pursuance of this Act, shall be by the Assessor or Assessors taking the same, suspected of Falshood, it shall be in the Power of either of such Assessors to administer an Oath to the Truth of such Account ; and if such suspected Person shall refuse to swear to the Truth of such Account according to his best Judgment when thereunto required by any one of the Assessors, such Refusal shall be deemed a Refusal to give an Account of his rateable Estate, the Person so refusing shall be subject to the Fine in that Case by this Act provided, without further or other Evidence for his Conviction on Trial ; and every Assessor shall be allowed out of the Treasury of his respective Town or District, the Sum of three Shillings for every Day he shall be necessarily employed in doing the Duty enjoined by this Act.

Assessors Pay.

Copies of the
last Year's Lists
to be lodged
in the Secre-
tary's Office.Recovery of
Fines.

And be it further enacted, That the Assessors of each Town and District in this Province, who were chosen for the Year One Thousand seven Hundred and fifty-five, shall by the last Wednesday in May One Thousand seven Hundred and fifty-six, on Oath transmit to the Secretary's Office a true and perfect Copy of the List and Valuation of Estates, by which they made the Taxes in their particular Towns and Districts for the Year One Thousand seven Hundred and fifty-five, on Penalty that each Assessor neglecting his Duty therein, shall forfeit and pay the Sum of five Pounds ; all Fines and Forfeitures arising by this Act, may be recovered by Bill, Plaintiff or Information, or by Action of Debt in any of his Majesty's Courts within this Province proper to try the same, and shall be applied two Thirds to him or them that shall inform or sue for the same, and the other Third to his Majesty to and for the Use of this Government.

C H A P. XL.

An Act for preventing and punishing the Desertion of
Soldiers in the Expedition against Crown-Point, or in
Defence of the Frontiers of this Government.

Preamble.

WHEREAS Soldiers duly enlisted, or to be enlisted or impressed for the present Expedition against Crown-Point, or for the Defence of the Frontiers of this Province have deserted, and may hereafter desert, and be found wandering or otherwise absenting themselves illegally from his Majesty's Service :

101.

Be

Supply of the Treasury.

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Be it therefore enacted by the Gouvernor, Council and House of Representatives, That it shall and may be lawful for the Sheriff of any County or either of his Deputies, or any Constable or Tything-Man of the Town or Place, or any other Person where any Person who may be reasonably suspected to be such a Deserter shall be found, to apprehend or cause him to be apprehended, and to cause such Person to be brought before any Justice of the Peace living in or near such Town or Place, who hath hereby Power to examine such suspected Person, and if by his Confession or the Testimony of one or more Witness or Witnesses upon Oath, or by the Knowledge of such Justice of the Peace or any other Proof, it shall appear or be found that such suspected Person is a listed or impressed Soldier as aforesaid, though listed or impressed in any other Government, and that he ought to be with the Troop or Company to which he belongs, such Justice of the Peace shall forthwith cause him to be conveyed to the Goal of the County or Place where he shall be found, and transmit an Account thereof to the Commander in Chief, or Secretary of this Province; and such Deserter shall be returned to his Service by the first Opportunity, and the Keeper of such Goal shall receive the full Subsistence of such Deserter or Deserters during the Time that he or they shall continue in his Custody, for the Maintenance of the said Deserter or Deserters, but shall not be intitled to any Fee or Reward on Account of the Imprisonment of such Deserter or Deserters.

And for the better Encouragement of any Person or Persons to secure and apprehend such Deserter or Deserters:

Be it further enacted, That upon the Certificate of such Justice of the Peace to the Province Treasurer, there shall be paid by him to such Persons as shall apprehend or cause to be apprehended any Deserter from his Majesty's said Service, forty Shillings and the Costs of Prosecution, to be deducted out of his Wages for every Deserter that shall be so apprehended and committed.

Sheriffs, Constables, &c.
may apprehend Deserters &c.

Allowance for apprehending Deserters.

C H A P. XLI.

An Act empowering the Province Treasurer to borrow the Sum of Ten Thousand Pounds, and for applying the same to defrey the Charges of the intended Expedition against Crown-Point.

Be it enacted by the Gouvernor, Council and House of Representatives, That the Treasurer of the Province be and he hereby is impowered and directed to borrow of such Persons as shall be willing to lend the same, a Sum not exceeding Ten Thousand Pounds in Spanish mill'd Dollars at six Shillings each, or in other coined Silver of Sterling Alloy, at six Shillings and eight Pence per Ounce; and the Sum so borrowed shall be applied by the Treasurer for the Payment of such Draughts as shall be drawn on him by the Gouvernor or Commander in Chief for the Time being by and with the Advice of the Council, for the Service of the intended Expedition against Crown-Point; and for every Sum so borrowed the Treasurer shall give a Receipt and Obligation in the Form following, *viz.*

Treasurer impowered to borrow £. 10,000.

Province of the Massachusetts-Bay,

The Day of

1756.

Received of the Sum of for the Use and Service of the Province of the Massachusetts-Bay; and in Behalf of said Province, I do hereby promise and oblige my Self and Successors in the Office of Treasurer, to Re-pay the said Sum or Order, on or before the tenth Day of June 1758, the aforesaid Sum of in Coined Silver of Sterling Alloy, at Six Shillings and eight Pence per Ounce, or in Spanish mill'd Dollars of full Weight, at Six Shillings each, with Interest annually at the Rate of Six per Cent. per Annum.

Form of Treasurer's Receipt.

Witness my Hand,
[P P P]

A. B. Treasurer.
Provided

Supply of the Treasury.

Provided that no Receipt shall be given for a less Sum than six Pounds. And to enable the said Treasurer to discharge the said Obligations, and the Interest that shall be due thereon :

Tax of £. 11,
500 in 1757.

Be it further enacted, That there be and hereby there is granted to his most excellent Majesty, a Tax of *Eleven Thousand five Hundred Pounds*, to be levied upon the Polls and Estates within this Province according to such Rules as shall be ordered by the General Court of this Province at their Sessions in *May One Thousand seven Hundred and fifty seven*.

Tax for the Money hereby emitted to be made according to the last Tax-Act, in Case.

And be it further enacted, That in Case the General Court shall not by the twentieth Day of *June* One Thousand seven Hundred and fifty seven, agree and conclude upon a Tax Act to draw into the Treasury the aforesaid Sum of *Eleven Thousand five Hundred Pounds* by the thirty-first Day of *March* then next following, that then the Treasurer of the Province for the Time being, shall issue his Warrants directed to the Select-Men or Assessors of the several Towns and Districts within this Province, requiring them respectively to assess levy and pay in to the Treasury by the said thirty-first Day of *March*, their respective Proportions of said Sum, according to the Rates and Proportions, Rules and Directions of the Tax Act then last preceding.

Preamble.

And whereas humble Trust and Dependance is had by the General Assembly on a Reimbursement of the Charges arising from the Expeditions against Crown-Point, and Monies for that Purpose are expected from Great Britain :

Wherefore as a further Fund to enable the Treasurer to discharge the Receipts and Obligations aforesaid by him given in Pursuance of this Act :

Treasurer to apply the Money that may be received from Great-Britain, for the Payment of the Money borrowed.

Be it further enacted, That the Monies that shall be received from Great-Britain, over and above what have been appropriated for the Re-payment of certain Sums which the Treasurer by divers Acts has been directed to borrow, shall be applied by the said Treasurer, or so much thereof as shall be needful for the discharging said Obligations, with the Interest that may be due thereon in Pursuance of this Act.

Tax not to go forth in Case of a Surplusage.

Provided alwds, (any Thing in this Act to the contrary notwithstanding) that in Case the Monies aforesaid shall arrive from Great-Britain, and be received into the Province Treasury on or before the twentieth Day of June forth in Case. One Thousand seven Hundred and fifty seven (over and above what shall be sufficient to repay the Sums borrowed by Virtue of the Acts aforesaid) and shall be sufficient for discharging the Obligations given by the Treasurer in Pursuance of this Act, then and in such Case the Tax which otherwise by this Act is ordered to go forth shall be and hereby is declared to be null and void. Provided also, That the Remainder of the Sum that may be brought in by the Tax ordered by this Act to be assessed and levied over and above what shall be sufficient to discharge the Obligations aforesaid (with the Interest that may be due thereon) shall be and remain as a Stock in the Treasury, and be applied as the General Court of this Province shall hereafter order.

[The five foregoing Acts were Published April 21, 1756.

BOSTON, N.E.
Printed by S. KNEELAND, by Order of the GOVERNOUR,
COUNCIL and House of REPRESENTATIVES. MDCCCLVI.
